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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,048	01/15/2002	Bertrand Marquet	12314-US	2891

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EXAMINER

SHIFERAW, ELENI A

ART UNIT	PAPER NUMBER
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2136

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/045,048

Applicant(s)

MARQUET ET AL.

Examiner

Eleni A. Shiferaw

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/17/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Detailed Action

1. Claims 1-8 are presented for examination.

*Drawings*

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because figure 1 and 2 are missing legend. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adam Thornton, October 14, 2000 (Adam, "Linux on the System/390) in view of Sakakura (Patent No.: US 6,725,370 B1).

As per claims 1, 2, and 8, Adam teaches a network management/element system/method sharable by a plurality of operators, comprising:

a compartmented operating system having a number of compartments corresponding to the plurality of operators (Adam page 3 col. 1 lines 4-10);

means for assigning the operators to respective compartments (Adam page 3 col. 2 lines 24-38); and

common operations software (Adam page 3 col. 2 lines 24-38, and col. 1 lines 4-10);  
the compartment executes in isolation the operations software for its operator (Adam page 1 col. 1 lines 3-12, and page 3 col. 1 lines 4-10).

Adam does not explicitly teach access control;

However Sakakura discloses access control for users access request of shared memory data over the network (Sakakura fig. 16 element \$1603, and col. 8 lines 9-24). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teachings of Sakakura within the system of Adam because it would allow to authenticate users (Sakakura fig. 16 element \$1603, and col. 8 lines 9-24). One would have been motivated to modify the teachings of Sakakura within the system of Adam because it would allow authenticating users of each compartment.

As per claim 3, Adam and Sakakura teach all the subject matter as described above. In addition, Adam teaches the network element, wherein administration of said compartmented operating system is separated into multiple roles (Adam page 3 col. 2 lines 24-38).

As per claim 4, Adam and Sakakura teach all the subject matter as described above. In addition, Adam teaches the network element, wherein one of said multiple roles is dedicated to creating compartments for respective operators (Adam page 1 col. 1 lines 3-12, page 3 col. 2 lines 24-38 and col. 1 lines 4-10)

As per claim 5, Adam and Sakakura teach all the subject matter as described above. In addition, Adam teaches the network element, wherein one of said multiple roles is dedicated to operator administration in each compartment (Adam page 3 col. 2 lines 24-38).

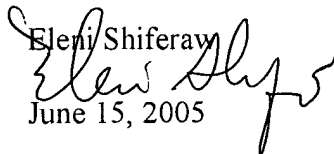
As per claim 6, Adam and Sakakura teach all the subject matter as described above. In addition, Adam teaches the network element, wherein said operations software is application software (Adam page 3 col. 1 lines 4-10, and col. 2 lines 45-54).


As per claim 7, Adam and Sakakura teach all the subject matter as described above. In addition, Adam teaches the network element, wherein said operators are remote from said network element (Adam page 3 col. 2 lines 24-38).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni A. Shiferaw whose telephone number is 571-272-3867. The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eleni Shiferaw  
  
June 15, 2005

  
AYAZ SHEIKH  
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TECHNOLOGY CENTER 2100